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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,655	04/23/2002	Kari Hasanen	9926.1019	4257
21831	7590	03/24/2005	EXAMINER	
STEINBERG & RASKIN, P.C. 1140 AVENUE OF THE AMERICAS, 15th FLOOR NEW YORK, NY 10036-5803			KOYAMA, KUMIKO C	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/980,655	Applicant(s) HASANEN ET AL.	
	Examiner Kumiko C. Koyama	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgement is made of receipt of Amendment filed on March 18, 2005.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US 6,047,110) in view of Goss et al (US 6,341,522).

Smith teaches a method and apparatus for identifying a media type to be printed upon and communicating the identification to a printer, which is considered as monitoring the properties of a roll of the machine and changes taking place in the properties (col 2, lines 18-21). Smith discloses that a roll 30 of a media 18 is mounted on printer 10. The leading edge of media 18 includes coded indicia 32 identifies at least, the media type and preferably, further identifies the size of the media and its remaining length. The coded indicia is considered as a memory unit that accompanies the roll when the roll is a functional part of the machine, in which memory unit is written and read electrically by optically, and the above disclosure teaches properties stored in the memory unit. Coded indicia 32 is initially printed on the leading edge of media 18 when the media is produced at factory, which reads on the limitation storing taking place in connection with a manufacture or servicing of the roll in question before the roll is taken for installation into

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the machine. It may be configured in the form of a bar code or any other indicia which is readably by an optical sensor 34. The coded indicia may be printed on an end of roll 30 where it can be read by a further optical sensor 35 (col 3, lines 4-15). Smith further discloses that the data read from the coded indicia is fed to controller 20 then utilizes the data derived from the indicia to set parameters for control of printer 10 (i.e., in accordance with the media type identified by the coded indicia) (col 3, lines 15-23). Such disclosure teaches transmitting the stored changes in the memory unit to the control unit of the machine and/or a separate data processing system, which is used for servicing data to the control unit.

Smith fails to teach a machine for producing or finishing/converting paper/board or pulp. Smith also fails to teach that the roll comprises at least one sensor observing a state of the roll and/or its ambient conditions.

Goss discloses a sheetmaking machine having a roller that is imbedded with a sensor (col 2, lines 28-30). The sensor is for detecting property changes of a material as it rotates and comes into contact with the material (col 8, lines 45-57). Goss further teaches that a sensor imbedded roller for measuring properties of material for determining the weight of sheetmaking materials in a sheet making system (col 5, lines 8-10). The variable impedance of the sensor relates to changes in property of the material being sensed which can then be related to changes in other physical characteristics of the material such as weight, chemical composition, and temperature (Abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Goss to the teachings of Smith such that the

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sensor is imbedded with the roller to avoid utilizing further space for the sensor for a compact and smaller machine.

3. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Goss as applied to claims 1 and 5 above, and further in view of Allmann et al (US 5,953,953). The teachings of Smith as modified by Goss have been discussed above.

Smith as modified by Goss fail to teach a separate data processing system that is arranged data transmission means for transmitting data from the data processing system to the control unit and from the control unit to the data processing system.

Allmann shows in Fig. 2 a computer 28, which is a data processing system, and a controller 32 being in connection for data transmission (Fig. 2). Allmann further discloses that the controller can control the transport process of the web material dependent on the information sent to computer (col 3, lines 40-45).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Allmann to the teachings of Smith as modified by Goss because a data processing system such as a computer has a capability of processing and storing large amount of data in a fast manner. Therefore, such modification provides much faster response as well as faster action to adjust to the roll to accommodate changes.

4. Claims 4 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Goss as applied to claims 1 and 5 above, and further in view of Adams et al (US 6,622,448). The teachings of Smith as modified by Goss have been discussed above.

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Smith as modified by Goss fail to teach that the memory unit can be continuously stored an amount of data, corresponding to a certain time interval, which is obtained in an essentially uninterrupted manner from at least one observing sensor.

Adams teaches measurements of time involved in a papermaking process (col 6, lines 50+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Adams to the teachings of Smith as modified by Goss in order to make sure that the machine is operating in a functional manner without any errors by checking that the feed flow time of the paper is appropriate to insure that the paper is not jammed.

Response to Arguments

5. Applicant's arguments filed December 28, 2004 have been fully considered but they are not persuasive.

Applicant submits, "Smith teaches or suggests a method and apparatus for identifying a print media type and not paper, board or pulp machine. A printer is not a machine for production of paper, board or pulp." Although Applicant amends the claim to further limit the claim from "producing or finishing/converting" to just "producing," the Examiner believes that Smith in view of Goss still reads on the claim because Goss teaches a sheetmarking machine, which is a machine for producing paper.

With respect to Applicant's submission of there is no suggestion or motivation in Smith or Goss to combine the references, the Examiner respectfully disagrees. Smith relates to an

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identification means printed upon a media, which is paper. The printer reads or senses the identification data printed on the media. On the other hand, Goss teaches a sheetmaking system wherein the roller of the sheetmaking apparatus senses the characteristics of the material, which is paper as well. The suggestion or motivation for combining these two references comes from the fact that both references relate to determining the characteristics of the paper by mean of sensing or detecting. Although the two inventions may occur in different situations or components, it would have been obvious to one in ordinary skill in the art to use this commonality of sensing the characteristics of a paper material in different situations or components to broaden the use of such technique to further provide faster process or compact systems. Furthermore, Smith and Goss provide similar characteristics provided by the sensing mean, but there are also different characteristics taught between the two references, and by combining the two references the resulting combination supports further defining unique characteristics of the paper.

Applicant also submits "Applicants' device is concerned with storing data related to drive history and the history of certain properties of the roll." However, the Examiner notes the claim does not recite "history" and therefore, many of the limitation may not be interpreted as history, but rather current or present conditions. Applicant also submits that "such properties include diameter of the roll, weight of the roll...and operations carried out during the servicing of the roll." However, the claim the does not recite all these limitations. The claim only recites "at least one of the following," which does not necessitate the Examiner to show all of the elements in the list. Therefore, the Examiner believes Smith in view of Goss still meet the claimed invention.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kumiko C. Koyama
Kumiko C. Koyama
March 18, 2005


DIANE I. LEE
PRIMARY EXAMINER